



General Assembly

January Session, 2001

***Amendment***

LCO No. 8225

Offered by:

REP. BERNHARD, 136<sup>th</sup> Dist.

To: Subst. House Bill No. 6649

File No. 201

Cal. No. 163

*(As Amended by House Amendment Schedule "A")*

**"AN ACT CONCERNING WEIGH STATIONS."**

1 After the last section, add the following:

2 "Sec. 4. The Commissioners of Motor Vehicles, Public Safety and  
3 Transportation shall conduct a study on any increase in noise levels,  
4 including the need for constructing of sound barriers, that may result  
5 from changes in weigh station locations and procedures resulting from  
6 substitute house bill 6649 of the current session. The commissioners  
7 shall submit a report on said study to the joint standing committee of  
8 the General Assembly having cognizance of matters relating to  
9 transportation on or before February 1, 2003.

10 Sec. 5. (NEW) (a) Upon petition of fifty per cent of the owners of  
11 benefited property and after a public hearing, a municipality may issue  
12 bonds under section 7-369 of the general statutes for the construction  
13 of sound barriers along an interstate highway, the proceeds of which  
14 shall be used as a municipal contribution towards the cost of planning,

15 designing and constructing of such sound barriers, provided the  
16 proceeds of such bonds are paid to the Department of Transportation  
17 for the purpose of planning, designing and constructing such sound  
18 barriers. Any municipality that issues bonds under this section shall  
19 levy benefit assessments upon properties benefited for the purpose of  
20 paying for such bonds and the costs of issuance.

21 (b) Any assessment of benefits or any installment thereof, not paid  
22 within thirty days after the due date, shall be delinquent and shall be  
23 subject to interest from such due date at the interest rate and in the  
24 manner provided by the general statutes for delinquent property taxes.  
25 Each addition of interest shall be collectible as a part of such  
26 assessment.

27 (c) Whenever any installment of an assessment becomes delinquent,  
28 the interest on such delinquent installment shall be as provided in  
29 subsection (a) or five dollars, whichever is greater. Any unpaid  
30 assessment and any interest due thereon shall constitute a lien upon  
31 the real estate against which the assessment was levied from the date  
32 of such levy. Each such lien may be continued, recorded and released  
33 in the manner provided by the general statutes for continuing,  
34 recording and releasing property tax liens. Each such lien shall take  
35 precedence over all other liens and encumbrances except taxes and  
36 may be enforced in the same manner as property tax liens. The tax  
37 collector of the municipality may collect such assessments in  
38 accordance with any mandatory provision of the general statutes for  
39 the collection of property taxes and the municipality may recover any  
40 such assessment in a civil action against any person liable therefor.

41 (d) Any municipality, by resolution of its legislative body, may  
42 assign, for consideration, any and all liens filed by the tax collector to  
43 secure unpaid sewer assessments as provided under the provisions of  
44 this chapter. The consideration received by the municipality shall be  
45 negotiated between the municipality and the assignee. The assignee or  
46 assignees of such liens shall have and possess the same powers and  
47 rights at law or in equity as such municipality and municipality's tax

48 collector would have had if the lien had not been assigned with regard  
49 to the precedence and priority of such lien, the accrual of interest and  
50 the fees and expenses of collection. The assignee shall have the same  
51 rights to enforce such liens as any private party holding a lien on real  
52 property, including, but not limited to, foreclosure and a suit on the  
53 debt. Costs and reasonable attorneys' fees incurred by the assignee as a  
54 result of any foreclosure action or other legal proceeding brought  
55 pursuant to this section and directly related to the proceeding shall be  
56 taxed in any such proceeding against each person having title to any  
57 property subject to the proceedings. Such costs and fees may be  
58 collected by the assignee at any time after demand for payment has  
59 been made by the assignee.

60 (e) As used in this section, "benefited property" means any  
61 residential property in a municipality located within an area  
62 designated by the municipality and "municipality" means any  
63 municipality as defined in section 7-369 of the general statutes."